

Last revised: August 1, 2017

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
ANTHONY & MAUREEN ZADZIELSKI

Case No.: 18-21765  
Judge: CMG

Debtor(s)

**Chapter 13 Plan and Motions**

☒ Original ☐ Modified/Notice Required Date: 6/23/18  
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ SJA

Initial Debtor: /s/ AZ

Initial Co-Debtor: /s/ MZ

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 1095 per month to the Chapter 13 Trustee, starting on 7/1/18 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection ☒ NONE**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 1,630
DOMESTIC SUPPORT OBLIGATION		

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:  
☒ None  
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence:** ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Midland Mortgage	Residence	\$ 57,500	n/a	\$ 57,500	\$ 2,151

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:** ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506:** ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan ☒ NONE**

The following secured claims are unaffected by the Plan:

**g. Secured Claims to be Paid in Full Through the Plan:** ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims** ☐ **NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*
- ☐ Not less than \_\_\_\_\_ percent
- ☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases** ☒ **NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative Claims
- 3) Priority Claims
- 4) Secured Claims

**d. Post-Petition Claims**

The Standing Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.



**Part 9: Modification ☒ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 6/23/18

/s/ Steven J. Abelson  
Attorney for the Debtor

Date: 6/23/18

/s/ Anthony Zadzielski  
Debtor

Date: 6/23/18

/s/ Maureen Zadzielski  
Joint Debtor

## Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 6/23/18

/s/ Steven J Abelson  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 6/23/18

/s/ Anthony Zadzielski  
Debtor

Date: 6/23/18

/s/ Maureen Zadzielski  
Joint Debtor

**Certificate of Notice Page 11 of 12**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Anthony G. Zadzielski  
 Maureen Zadzielski  
 Debtors

Case No. 18-21765-CMG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 38

Date Rcvd: Jun 25, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 27, 2018.  
 db/jdb

+Anthony G. Zadzielski, Maureen Zadzielski, 121 Greenwood Lake Road,  
 Little Egg Harbor, NJ 08087-3705  
 517583755 +Attorney General of the United States, Department of Justice,  
 Constitution Ave and 10th St. NW, Washington, DC 20530-0001  
 517583756 +Barron Emergency Physicians, PO Box 7418, Philadelphia, PA 19101-7418  
 517583758 +Commonwealth Financial Systems, 245 Main Street, Dickson City, PA 18519-1641  
 517583759 +Convergent Outsourcing, 800 SW 39th Street, P.O. Box 9004, Renton, WA 98057-9004  
 517583761 +DIRECTV LLC, ATTN BANKRUPTCIES, PO BOX 6550, GREENWOOD VILLAGE CO 80155-6550  
 (address filed with court: DirecTV, P.O. Box 6550, Greenwood Village, CO 80155)  
 517583760 +DeMarco Family Dental, c/o IC Systems, P.O. Box 64378, Saint Paul, MN 55164-0378  
 517583762 +ER Solutions, 800 SW 39th St, Renton, WA 98057-4975  
 517583767 +Household Bank, P.O. Box 80084, Salinas, CA 93912-0084  
 517583770 +Labcorp, P.O. Box 2240, Burlington, NC 27216-2240  
 517583772 #+Malcolm S. Gerald and Associates, 332 S. Michigan Ave, Ste 600, Chicago, IL 60604-4318  
 517583773 +Medical Associates of Ocean, 1301 Rte 72 West, Ste 300, Manahawkin, NJ 08050-2483  
 517583774 +Medical Payment Data, 2150 15th Avenue, Vero Beach, FL 32960-3436  
 517583775 +Midland Mortgage, P.O. Box 268806, Oklahoma City, OK 73126-8806  
 517583781 +Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020  
 517583782 +Providian Financial, P.O. Box 660490, Dallas, TX 75266-0490  
 517583783 +Quality Asset Recovery, 7 Foster Avenue Ste 101, Gibbsboro, NJ 08026-1191  
 517583784 +Radiology Physicians at Comm, c/o Apex Asset Management, 2501 Oregon Pike, Ste 102,  
 P.O. Box 5407, Lancaster, PA 17606-5407  
 517583786 +SOCH, 1140 Rte 72 West, Manahawkin, NJ 08050-2412  
 517583787 +Sprint, 8014 Bayberry Rd, Jacksonville, FL 32256-7412  
 517583788 +TD /Commerce Bank, Recovery Dept, P.O. Box 9547, Portland, ME 04112-9547  
 517583789 +Tiny Tots Daycare, 105 Kosciusko Way, Little Egg Harbor, NJ 08087-1777  
 517583791 +W. Darrell Landry, c/o Howard W. Smith, Esq, 1570 White Horse Road, P.O. Box 9972,  
 Trenton, NJ 08650-2972  
 517583792 #+Zucker, Goldberg & Ackerman, 200 Sheffield St, Ste 101, Mountainside, NJ 07092-2315

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 25 2018 23:36:51 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jun 25 2018 23:36:49 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 517583754 +E-mail/Text: bkrpt@retrievalmasters.com Jun 25 2018 23:36:47 AMCA,  
 4 Westchester Plaza, Ste 110, Elmsford, NY 10523-1615  
 517583757 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 25 2018 23:38:22 Capital One,  
 Bankruptcy Dept, P.O. Box 30273, Salt Lake City, UT 84130-0273  
 517583763 +E-mail/Text: kmorgan@morganlaw.com Jun 25 2018 23:37:27 Fairlane Credit,  
 c/o Morgan, Bornstein & Morgan, 1236 Brace Road Ste K, Cherry Hill, NJ 08034-3229  
 517583765 +E-mail/Text: csr@theaffiliatedgroup.com Jun 25 2018 23:37:33 Herff-Jones Delmar,  
 c/o The Affiliated Group, 3055 41st St NW, Ste 106, Rochester, MN 55901-7957  
 517583768 +E-mail/Text: cio.bncmail@irs.gov Jun 25 2018 23:36:14 Internal Revenue Service,  
 P.O. Box 7346, Philadelphia, PA 19101-7346  
 517583771 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 25 2018 23:38:25 LVNV Funding,  
 P.O. Box 10497, Greenville, SC 29603-0497  
 517583777 +E-mail/Text: bankruptcydepartment@tsico.com Jun 25 2018 23:37:26 NCO Financial Systems,  
 2135 E. Primrose, Ste Q, Springfield, MO 65804-4598  
 517583778 +E-mail/PDF: bankruptcy@ncfsi.com Jun 25 2018 23:38:03 New Century Financial,  
 110 South Jefferson, Ste 104, Whippany, NJ 07981-1038  
 517583779 +E-mail/Text: ebn@vativrecovery.com Jun 25 2018 23:36:22 Palisades Collection,  
 210 Sylvan Avenue #1, Englewood Cliffs, NJ 07632-2510  
 517583780 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 25 2018 23:38:07  
 Pinnacle Credit Services, P.O. Box 640, Hopkins, MN 55343-0640  
 517588465 +E-mail/Text: bnc-quantum@quantum3group.com Jun 25 2018 23:36:43  
 Quantum3 Group LLC as agent for, CP Medical LLC, PO Box 788, Kirkland, WA 98083-0788  
 517583790 +E-mail/Text: usanj.njbankr@usdoj.gov Jun 25 2018 23:36:51 United States Attorney,  
 For Internal Revenue Service), 970 Broad Street, 5th Floor, Newark, NJ 07102-2527  
 TOTAL: 14

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

517583769\* +Internal Revenue Service (SP), Special Procedures, 200 Sheffield Street,  
 Mountainside, NJ 07092-2314  
 517583753 ##+ACB Receivables Management, 19 Main Street, Asbury Park, NJ 07712-7012  
 517583764 ##+Fulton Friedman & Gullace, P.O. Box 2123, Warren, MI 48090-2123  
 517583766 ##Hospital Group of South Jersey, P.O. Box 42330, Philadelphia, PA 19101  
 517583776 ##+National Credit Solution, 3680 E I-240 Service Road, Oklahoma City, OK 73135-1737  
 517583785 ##+RJM Acquisitions, 575 Underhill Blvd, Ste 224, Syosset, NY 11791-3416

TOTALS: 0, \* 1, ## 5

District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 38

Date Rcvd: Jun 25, 2018

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 27, 2018

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Steven J. Abelson on behalf of Debtor Anthony G. Zadzielski sjaesq@atrbklaw.com,  
atrbkl@gmail.com;r49787@notify.bestcase.com  
Steven J. Abelson on behalf of Joint Debtor Maureen Zadzielski sjaesq@atrbklaw.com,  
atrbkl@gmail.com;r49787@notify.bestcase.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4